App. F. IX-4

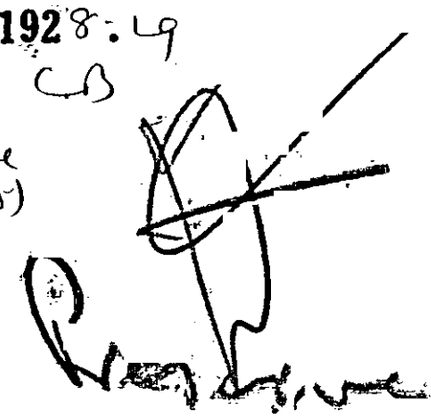
1928.49

File No. 7/28

Previous References
CS. 247-18-1
CS 291-22-1810 (Complete Case
CS. 27-18-1-6, 8, 11-16/1949. No 41 of 49)

Serial Nos. 25 to 27

Later Reference



General and Revenue Secretariat.

Serial Nos. 25 to 27

Part B for April 1949

SUBJECT

Transfers of Assistant Commissioners

General & Revenue Secretariat. | (M) File No. | of 1928-9.

Serial No.

From the statements placed below, it will be seen that a good number of Assistant Comrs have very little experience as Magistrates some of them are likely to get District charges within a few years and unless steps are taken betimes they will ~~have accepted by want of magisterial experience~~ find themselves called upon to discharge the duties of a District Magistrate without adequate preparation

Messrs M. Seshadri V. Vedavyasachar & Gundappa Rao have recently been posted as Magistrates

The cases of the following officers may now be considered

1) Sri M Venkatesa Iyengar
2) " G. M Mallur
3) " M Venkatanarayana
4) " P. N. Krishna Rao.

NOTE.—Contn. Sheet

GBPM—500—25-10-28

Serial No.

Nos 2) and 3) cannot perhaps be disturbed just at present But there is no difficulty about the three Officers

It is suggested that Mr P. H. Krishnaiah on expiry of his leave early in March, be posted as 1st class Magistrate, Chitaldroog

Mr V. Doraiswamiah who is now ~~the~~ 1st class Magistrate at Chitaldroog may be transferred as Personal Assistant to the Deputy Commissioner Bangalore vice Mr Doraiswamy whose services are to be placed at the disposal of the Chief Commandant

Mr M Venkatesa Iyengar (S.D.O Nagar) and Mr K Subba Rao (1st class Magistrate, French Rocks) may exchange places

DEWAN'S OFFICE. 15. FEB. 1929 No. 2623

Second Member 9/2

8407 11/2 Third Member

Dewan I agree 9/2

I agree 13/2/29

15.2.29

NOTE.—Contn. Sheet

GBPM—500—25-10-28

General and Revenue Secretariat | File No. 2929 54 of 1928

Serial No.

G.O. G.100 87-88 Mily 27-28 d. 11-2-29. H. Z. (on file linked)

Transfers of Asst Comrs.

Orders have issued from Military Section covering the post of Personal Assistant to the Chief Comdt. An Officer has to be posted for the place. The arrangements already approved are tabulated below :—

I

(i) Mr. A.J. Doune. P.A. to D.C. Bangalore. P.A. to Chief Comdt.

(ii) " V. Dwarakanath. I class Magte Chitaldrug. P.A. to DC. Bang.

(iii) " P.H. Krishna Rao. (On leave) I class Magte Chitaldrug.

N.B. Mr. P.H.K. Rao has been given leave until 7th Mar. 29. If the arrgts. commence to have effect from date of his return, it will take about a month.

II

(i) Mr. M. Venkatesa Iyengar. S.D.O. Mysore. I class Magte T. Rocks

(ii) " K. Subba Rao. I class Magte T. Rocks. S.D.O Mysore

The Revenue Comnr also has agreed to the I series above. Orders are solicited if notfns. giving effect to the arrangements may issue

Under present arrangements, Mr. Balaraj Urs may ~~have~~ revert from about 1.3.29 and some place will have to be found for one more.

Y

16 FEB. 1929

NOTE—Contn. sheet

Subrao CPR 16/2/29

WD 021—GPB—30,000—21-8-28

General and Revenue Secretariat — File No. 3054 of 192

Serial No.

DEWAN'S OFFICE
6. FEB. 1929
No. 2825

6731/19

Orders may issue sanctioning the first series of arrangements. The Dy. Comm. Chittoor might make temporary arrangements for the charge of the Magisterial work until Mr. P. N. Krishna Rao joins.

As regards the second series, Mr. Anantaraman, Dy. Comm. Nellore states that the transfers may be deferred for a few months as Mr. Venkatasa Iyengar's services are required for the development of the Yddatore Town Extension and the schemes in which he has taken keen interest.

Third Member — Nil
Second Member — 1.8.29
Dewan ✓

I agree that the second series of arrangements might be kept in abeyance for the present. I do not think it possible for Mr. Chitaley to make any other arrangements for the Asst. Magistrate's work. I think Mr. Ananakanath must hold charge of Chittoor till he is relieved by Mr. Krishna Rao

I agree with 1st Member 18.2.29

3rd Member.

To the Compiler M.G. No. 3872 d. 27.2.29 Notifies Mr. Transfer of certain Asst. Comrs.

Draft Nos. 26.2.29 Mail

NOTE.—Contn. sheet.

W.D. Madras—GEB—30,000—21-8-28

27/2/29 Issued 27/2 23/2

Serial No.

From the Registrar, Chief Court
No. 1123 d. 5.3.29
Requests that the transfer of Mr. V. Dwarakanath from Chitaldrug may be deferred by 2 or 3 months so as to enable him to dispose of certain partly heard cases.

The Chief Court have quoted two references ~~to cases~~ in support of the view that they have to be consulted in the matter of transfers of Magistrates of First class. These are put up. (Mr. P. H. Krishna Rao's leave expires by 8.3.29 & he must be under joining duties now)

Submitted C/S 11/3/29

There are only 13 part heard cases on which three seem to be of a petty character while four or five are sessions cases in which the question of a de novo enquiry is not likely to arise. While such is the state of business, a change of Magistrate, it is submitted, can lead to no special inconvenience. And it is not easy to imagine how matters will be different a couple of months hence, when according to the Chief Court, the change might be effected.

As regards the Government Orders quoted in the paper under disposal, they seem to have no bearing

NOTE—Contn. Sheet.

WD 01714—GPB—30,000—18-4-26.

General and Revenue Secretariat. | File No. of 192

Serial No.

on the point raised. The first of these Government Orders merely says that separate orders would be passed about the recruitment of Special Magistrates, a class of officers no longer in existence. The second Government Order relates to the interpretation of the provisions of the Civil Courts Regulation regarding relating to the appointment and transfer of Munsiffs.

Except in cases of doubt, it has not been usual to consult the Chief Court or the Head of the Department (other than the Revenue Commissioner) in regard to the transfer of Assistant Commissioners. And in practice such consultation generally elicits conflicting recommendations which involve protracted correspondence in order to ensure agreement among the various Heads of Departments concerned.

It is a point for consideration if any change is to be made in the present procedure.

Hem

Hon'ble Member 12/3

Dear

Whenever any transfer of Munsiffs take place there will be some part heard cases pending. If in Chittagong the pendency is only 13, I cannot say that it is Extremely heavy & that the

NOTE—Contn. Sheet.

WD 01714—GPB—30,000—18-4-28

Serial No.

Mr. Thi C. Secy Hon'ble Speaker to see about this.

JM
14/3/29

Sub. to draft reply

Third Member
MM
15/3

Dewan

M
16/3/29

DS
16-3-29

Issue
MM
18/3

27 To the Registrar, Chief Court
No 4060 d 18.3.29
States that is not possible at present to defer the transfer of Mr. V. Divarakanath but that Govt recognise it would be an advantage to consult the Chief Court in regard to transfers of Magistrates & would be glad to do so as far as practicable.

DEWAN'S OFFICE. 16 MAR. 1929 No. 4872/17

B

NOTE—Contn. sheet

C.C.(A)50/28-29

OFFICE OF THE REVENUE COMMISSIONER
IN MYSORE,

Dated, Bangalore, the 14th February 192 9

CB 30-54
CS 7-28

My dear Madhava Rao,

In one of my previous letters I have suggested the posting of Mr.P.H.Krishna Rao as Personal Assistant to the Deputy-Commissioner (Bangalore) in case Mr.A.J.Donne is taken to the Military Department. I understand that it is the idea of Government to post Mr. Krishna Rao as a Magistrate so that he might acquire some training in the Judicial Department He may therefore be posted as 1st Class Magistrate, Chitaldrug and Mr.V.Dwaraknath as Personal Assistant to the Deputy Commissioner (Bangalore)

Yours sincerely,

3872/ CS 7-28-25
H. 27 2:29

ISSUED.

Notification

The following transfers of Assistant Commissioners are ordered in the interests of the public Service

	Name of Officer	From	To	Remarks
1	Mr. A. J. Dowie	Personal Asst. to the Dy Comr., Bangalore D.	Personal Asst. to the Chief Comdt. Mysore State Troops	To join on relief
2	V. Dwarakanath, B.A., B.L.	First class Magte., Chitaldrug.	Personal Asst to the Dy. Com Bangalore D.	To join on relief
3	P. H. Krishna Rao M.A.	[Leave]	First class Magte, Chitaldrug.	To join on expiry of leave.

By order

Chief Secy. to Govt

To the Comptler. Mysore Gazette for publn.

3873-78
CS 27/2/29

Copy to the Rev. Comr
Chief Comdt.
Dy. Comr. Bangalore
Dist Magte Chitaldrug
Registrar, Chief Court with a C
Protection Branch

Copy to Mr. P. H. Krishna Rao

Sent also G.P. Branch
Sent

onto

These transfers were not made in this Branch. First class magistrates' transfers and appointments are being dealt with in the CB.

This may be transferred to the CB

8|3|29

8|3

8|3

UB

40339/28

Telgm
"JUSTICE"

CHIEF COURT OF MYSORE.
Public Office Buildings, Cubbon Park,
Bangalore, 5th March 1929.

R. O. C. No. 1123 / 28-29 Dist.

CB. 3345
C.B. 7-28-26

FROM

T. Singaravelu Mudaliar, Esq., B.A., B.L.,
Registrar, Chief Court of Mysore.

To

P. MAHADEVAYYA, Esq., B.A., B.L.
Secretary to Government,
Law Department, BANGALORE.

Sir,

I am directed to invite reference to Government Notification No.3872/Cts.7-28-25 dated 27th February 1929, transferring Mr. V. Dwarakanath, First Class Magistrate, Chittaldrug, as personal Assistant to the Deputy Commissioner, Bangalore District, with effect from the date of expiry of Mr. P.H. Krishna Rao's present leave and to forward a statement of criminal cases pending in the First Class Magistrate's Court, Chitaldrug, on 1-3-1929 from which it will be seen that there are at present 13 part-heard cases which may be disposed of in the course of two or three months more, if the present incumbent continues to be in charge.

I am therefore to request that with a view to avoid denovo trials in these cases and consequential delay in their disposal, Government may be pleased to order Mr.V.Dwarakanath to continue to preside over the said First Class Magistrate's Court, Chittaldrug, for at least 2 or 3 months to come so as to enable him to dispose of these cases.

I

I am also to invite reference to the last para of Part I of G.O.No.G.7962-69/Cts.27-18-3 dated 1-11-1918 under which appointments as First Class Magistrates will be made by Government in consultation with the Chief Court from time to time as vacancies occur, and to the view of Government that a transfer amounts to an appointment (Vide G.O.No.1446/C.B.291-22-9 dated 22-12-1924) and to request that Government may with advantage consult the Chief Court in the case of the transfer of all Magistrates so as to avoid denovo trials in part-heard cases, as far as practicable.

I have the honour to be,

Sir.

Your most obedient servant,

REGISTRAR.

LIST OF CASES PENDING IN THE COURT OF THE FIRST MAGISTRATE, CHITALDRUG ON 1st March 1929.

Sl. No.	Case number.	Date of institution.	Offence.	Stage in which the case stands.	When expected to be disposed of.
			PART HEARD CASES. (A)		
1.	133 of 1927-28	2- 5-28	63 Pol. Reg.	Prosecution is almost closed.	By May 1929.
2.	60 of 1928-29	18-10-28	379 I.P.C.	Prosecution closed.	--do--
3.	72 of 1928-29	1-11-28	147. I.P.C.	4 P.Ws. examined. 5 P.Ws. to be examined.	--do--
4.	93 of 1928-29	3-12-28	409 I.P.C.	4 P.Ws. examined for the prosecution.	By April 1929.
5.	104 of 1928-29	27-12-28	373 I.P.C.	4 P.Ws. examined and accused charged.	By June 1929.
6.	115 of 1928-29	15- 1-29	332 I.P.C.	3 P.Ws. examined.	By April 1929.
7.	119 of 1928-29	25- 1-29	302 I.P.C.	For hearing is on the 7th	By March 1929.
8.	123 of 1928-29	7- 2-29	302 I.P.C.	8 P.Ws. examined; posted to 8th instant.	--do--
9.	125 of 1928-29	18- 2-29	302 I.P.C.	posted to 4th March 1929.	--do--
10.	126 of 1928-29	18- 2-29	326 or 307 I.P.C.	2 P.Ws. examined.	By May 1929.
11.	127 of 1928-29	19- 2-29	14 Ar. Reg.	1 P.W. examined.	By April 1929.
12.	128 of 1928-29	19- 2-29	14 Ar. Reg.	--do--	--do--
13.	129 of 1928-29	25- 2-29	395 I.P.C.	Posted to 2nd instant.	--do--
			CASES TO BE HEARD. (B)		
1.	54 of 1926-27	1-11-26	193 I.P.C.	Awaiting Civil Court order.	

Time

2.	78 of 1928-29	9-11-28	211 I.P.C.		
3.	79 of 1928-29	--do--	--do--	Records sent to Chief Court	--do--
4.	84 of 1928-29	17-11-28	504 I.P.C.)	Connected with 60 & 72 supra.	--do--
5.	486 of 1928-29	20-11-28	325 I.P.C.)		
6.	92 of 1928-29	30-11-28	211 I.P.C.		--do--
7.	94 of 1928-29	4-12-28	326 I.P.C.		--do--
8.	101 of 1928-29	18-12-28	409 I.P.C.		--do--
9.	103 of 1928-29	21-12-28	500 I.P.C.		--do--
10.	105 of 1928-29				
11.	106 of 1928-29	31-12-28	409 I.P.C.		--do--
12.	107 of 1928-29				
13.	108 of 1928-29				
14.	114 of 1928-29	9- 1-29	304(a) I.P.C.		--do--
15.	117 of 1928-29	23- 1-29	420 I.P.C.		--do--
16.	113 of 1928-29	5- 1-29	500 I.P.C.		--do--
17.	118 of 1928-29	23- 1-29	419 I.P.C.		--do--
18.	120 of 1928-29	28- 1-29	148 I.P.C.		--do--
19.	122 of 1928-29	2- 2-29	506 I.P.C.		--do--
20.	124 of 1928-29	7- 2-29	500 I.P.C.		--do--

"Copy"

M Nundarajaiah
Dy. Registrar

Chief Court of Mysore
Bangalore.
Dated 7-3-29.

VSM.

406 of C.B.7-4-27

T.Singaravelu Mudaliar,Esq.,B.A.,B.L.,
Registrar, Chief Court of Mysore,
BANGALORE.

With reference to your letter No.1123 dated 5th March 1929, I am directed to state that Mr.P.H.Krishna Rao whose leave expired on the 7th instant, must have already proceeded to Chitaldroog in order to take charge of the First Class Magistrate's Court there. Government regret that it is not possible at present to defer his posting for 2 or 3 months, as proposed, and trust that as there are only 13 part-heard cases, their disposal by the new Magistrate will not be unduly delayed.

Referring to the second paragraph of your letter, I am to observe that the Government orders therein quoted do not refer to the transfer of Assistant Commissioners from revenue to magisterial work but Government recognise that it would be an advantage to consult the Chief Court in regard to such proposals and they would be glad to do so, in future, as far as practicable

I have the honour to be,
Sir,
Your most obedient servant,

(Fair draft) mm
CHIEF SECRETARY TO GOVERNMENT.

To Law see, write
Compliy by perusal with the file
HKB.
mm
18/3.

Pm. 21/3

mm 21/3

ಆಡಳಿತ/ಸಿ.ಬಿ.ನಂ-೪೭ ಪ್ರ.ಸಂ/13/19

To Registrar,

Chief Court, Mysore

Sir

With reference to your letter No 1123 dated 5th March 1919, I am directed to state that Mr P.H. Krishna Rao whose leave expired on the 7th inst must have already proceeded to Chitaldroog in order to take charge of the 1st class Magte's Court there Govt regret that it is not possible at present to defer his posting for 2 or 3 months, as proposed and trust that as there are only 13 part-heard cases their disposal by the new Magistrate will not be unduly delayed

Referring to the second paragraph of your letter I am to observe that the Govt orders thereon quoted

do not refer to the transfer of Provincial
Commissioners ~~for magisterial duty~~ from
revenue to magisterial work ~~and vice versa~~
but Govt recognise that it would be
an advantage to consult the Chief Court
~~before~~ in regard to such proposals.
They would be glad to do so, in future
as far as practicable.

I have etc

Chief Secy